

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327
Honorable Joseph R. Goodwin

Beverly Baker and Tim Baker

Plaintiff(s),

v.

CASE NO. 2:13-cv-20197

Ethicon, Inc., et al.

Defendant(s).

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2327, In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2440 Cook Medical, Inc., Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2327 against Ethicon, Inc., and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Ethicon, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2440 :

Cook Incorporated, Cook Biotech, Inc., and Cook Medical, Inc.

Because Ethicon, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2327 to 2440; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2327 and re-associate it with MDL 2440 .

s/ Spencer P. Browne

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CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

s/ Spencer P. Browne

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